



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: David W. Sherrer and John Fisher
 EXAMINER: Unknown GROUP: 2872
 SERIAL NO.: 10/022,726 CONFIRMATION NO: 5583
 FILED: December 20, 2001
 FOR: Optical Switch Assembly with Flex Plate and Method for Making

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: BOX DAC, Assistant Commissioner for Patents, Washington, DC 20231 on:

By:

Deborah Celeste

February 3, 2003

Date

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 Assistant Commissioner for Patents
 Washington, DC 20231

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REQUEST FOR RECONSIDERATION OF
 PETITION UNDER 37 CFR 1.47 (a)

OFFICE OF PETITIONS

Sir:

This is in response to the Decision Refusing Status Under 37 CFR 1.47(a) (a copy of which is enclosed), dated October 1, 2002.

Applicants state that the application was filed on December 20, 2001 which listed Dan A. Steinberg as an inventor in error. Mr. Steinberg never signed the Declaration. Enclosed is a copy of the Declaration that was attached to the specification and drawings of the present application and sent to Dan Steinberg on September 20, 2002. Mr. Steinberg returned the Declaration and Power of Attorney unsigned with his name crossed out and a handwritten message stating "I am not an inventor in this case" as evidenced by the attached Declaration and Power of Attorney. Applicants request that Mr. Steinberg's name be removed from the list of inventors. Applicants also request that the application be dispatched to an examining group.

Enclosed is a Petition for Two-Month Extension of Time Under 37 CFR 1.136(a). Authorization is given to charge Deposit Account No. 50-0369 in the amount of \$410.00 to cover the two-month extension fee and any additional fees that may be required.

Also enclosed is a copy of the Declaration filed on August 28, 2002 in response to a Notice to file Missing Parts and executed by inventors David W. Sherrer and John Fisher.

Respectfully submitted,



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Dated: February 3, 2003

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